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ELECTRONICALLY FILED
DOC #:
DATE FILED: 9/24/12

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
TREVOR MURRAY,

Plaintiff,

-v-

UBS SECURITIES, LLC, ET AL.,

Defendants.
-----X

12 Civ. 5914 (JMF)

ORDER

JESSE M. FURMAN, United States District Judge:

On September 21, 2012, defendants filed a motion to dismiss the complaint under Rule 12(b) of the Federal Rules of Civil Procedure. Under Rule 15(a)(1)(B), a plaintiff has twenty-one (21) days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course.


Accordingly, it is hereby ORDERED that plaintiff shall file any amended complaint by **October 12, 2012**. Plaintiff will not be given any further opportunity to amend the complaint to address issues raised by the motion to dismiss. If plaintiff does amend, by three (3) weeks after the amended complaint is filed, defendants shall: (1) file an answer; (2) file a new motion to dismiss; or (3) submit a letter to the Court, copying plaintiff, stating that they rely on the previously filed motion to dismiss. If defendants file an answer or a new motion to dismiss, the Court will deny the previously filed motion to dismiss as moot.

It is further ORDERED that if no amended complaint is filed, plaintiff shall serve any opposition to the motion to dismiss by **October 12, 2012**. Defendants' reply, if any, shall be served by **October 19, 2012**. At the time any reply is served, the moving party shall supply the Court with two (2) courtesy copies of all motion papers by mailing or delivering them to the United States Courthouse, 500 Pearl Street, New York, New York.

Finally, it is further ORDERED that the initial pretrial conference scheduled for October 29, 2012 is adjourned *sine die*. In the event the Court desires oral argument on the motion, it will so advise the parties.

SO ORDERED.

Dated: New York, New York
September 24, 2012


JESSE M. FURMAN
United States District Judge